

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
August 25, 2015
7:00 p.m.

Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Mark Winings, Joanne Boulton, Alex Berger III, Rich Lintz, and Ira Berkowitz.

Mayor Sanger
City Manager Owens
City Attorney O'Keefe

Absent: Cynthia Garnholz

Alderman Boulton moved to approve the August 11, 2015 minutes. Alderman Winings seconded.

The motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

Ms. Vivian Eveloff, resident, addressed the Board with concerns regarding the pool of water at 212 S. Meramec Avenue (formerly known as the Crossings Development project) construction site.

City Manager Owens stated that the staff would follow-up with the contractors regarding the issue.

RECOGNITIONS AND AWARDS

City Manager Owens announced that the Clayton Police Department received the Commission on Accreditation for Law Enforcement Agencies (CALEA) Award recently. He noted that this is the highest honor and achievement in accreditation.

Chief Murphy added that Clayton has been accredited for over 15 years and the organization expressed its sincerest congratulations (kudos) to the Police Department on how Clayton handled the demonstrations experienced over the last several months.

A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER SETTING THE TAX YEAR 2015 PROPERTY TAX LEVIES FOR FISCAL YEAR 2016 BUDGET AND TO HOLD A PUBLIC HEARING - FIRST READING

Mayor Sanger opened the public hearing.

City Manager Owens reported that each year the City must approve property tax levies which are then submitted to St. Louis County for billing. Calendar year 2015 was a reassessment year. The City is allowed to receive additional revenue up to the Consumer Price Index which was only 0.8% for this year, and for the value of new construction. Per the FY 2016 budget plan, we are submitting the maximum allowable rates for your review.

As part of the property tax levy process, the Board is also holding a public hearing to seek public input on the proposed tax rates. The proposed calendar year 2015 property tax levy requests for Budget Year 2016 were

provided in the Board packet. These levies are subject to change by the Board of Equalization and through the Missouri State Auditor's certification process, therefore there is the potential for them to change slightly when they are presented to the Board for final passage.

The property tax levy process is somewhat complex in that as assessments increase the City is not allowed to gain any more revenue. Therefore the maximum tax rates we are allowed to levy actually lower or "roll back" to generate no more revenue than the past year. The only ability to gain revenue is through the CPI (listed above) and through new construction. Thus the City's maximum revenue each year is the revenue base from the previous year, plus CPI, plus the amounts related to new construction. This year both residential and commercial assessment growth occurred, therefore most of the tax rates decreased from the prior year even though we are still at the maximum rates.

City General Fund and Debt Service

The assessments on which the General Fund and Debt Service levies are applied increased this year in the amount of 6.6% for residential and 5.4% for commercial, which together is substantially higher assessment growth than we have experienced in recent years. The General Fund tax levy, which may be used for any general purpose, is projected to generate nearly \$5.94 million, or approximately \$60,000 higher than last year. The City also has a levy to support the debt service of the police building. This levy was approved by voters in 2010 but was not implemented until 2013 when a previous general obligation bond issue matured. This levy will generate \$1.1 million which is slightly higher than last year.

In April 2014 voters approved a general obligation bond issue supported by property tax to be used for neighborhood street resurfacing, street lighting and alley improvements. The City issued these bonds in 2014 and implemented the related levy last year. For this year, the levy will generate approximately \$1.2 million, which is slightly higher than last year.

The rates as shown are proposed to be levied for the 2015 calendar year (FY 2016 budget year), and all rates are per \$100 of assessed valuation. Rates are also presented for the recent tax history and are listed under the calendar year for which the rates apply.

Property Category	2012 Tax Rate	2013 Tax Rate	2014 Tax Rate	2015 Tax Rate	2014 to 2015 Rate Change
General Revenue					
Residential	\$0.659	\$0.659	\$0.646	\$0.614	\$0.032 Reduction
Commercial	\$0.737	\$0.692	\$0.717	\$0.687	\$0.030 Reduction
Personal	\$0.707	\$0.707	\$0.707	\$0.707	No Change
General Obligation Debt					
Residential	\$0.130	-	\$0.124	\$0.129	\$0.005 Increase
Commercial	\$0.130	-	\$0.124	\$0.129	\$0.005 Increase
Personal	\$0.130	-	\$0.124	\$0.129	\$0.005 Increase
Police Building Debt Service	-	-	-		
Residential	-	\$0.128	\$0.128	\$0.122	\$0.006 Reduction
Commercial	-	\$0.128	\$0.128	\$0.123	\$0.005 Reduction
Personal	-	\$0.123	\$0.123	\$0.123	No Change

The schedule provides the total rate, including the debt levies, for residential, commercial and personal property.

Property Category	2012 Total Tax Rate	2013 Total Tax Rate	2014 Total Tax Rate	2015 Total Tax Rate	2014 to 2015 Rate Change
Residential	\$0.789	\$0.787	\$0.898	\$0.865	\$0.033 Reduction
Commercial	\$0.867	\$0.820	\$0.969	\$0.939	\$0.030 Reduction
Personal	\$0.837	\$0.830	\$0.954	\$0.959	\$0.005 Increase

For a home valued at \$600,000, it is expected that the homeowner would pay approximately \$986 on property taxes for the City of Clayton portion only. Based on last year's rate, the same homeowner would have paid \$38 more last year.

Special Business District

The assessments on which the Special Business District levies are applied increased this year in the amount of 8.4% for residential and 5.4% for commercial, which together is substantially higher assessment growth than we have experienced in recent years. The 2015 proposed tax rates are at the maximum allowable rates. The 2015 Special Business District (SBD) tax levy for the FY 2016 budget is projected to generate \$447,000 which is approximately the same as last year. The rates have been levied or are proposed to be levied and all rates are per \$100 assessed valuation:

Property Category	2012 Tax Rate	2013 Tax Rate	2014 Tax Rate	2015 Tax Rate	2014 to 2015 Rate Change
Residential	\$0.121	\$0.125	\$0.121	\$0.114	\$0.007 Reduction
Commercial	\$0.131	\$0.127	\$0.135	\$0.129	\$0.006 Reduction

A commercial property, located in the Special Business District assessed at \$2.0 million would pay approximately \$825 in property taxes for the Special Business District portion only. Based on last year's rate, the same commercial property would have paid approximately \$39 more last year.

The table lists the total tax rates from the City and the Special Business District for properties only in the Special Business District.

Property Category	2012 Tax Rate	2013 Tax Rate	2014 Tax Rate	2015 Tax Rate	2014 to 2015 Rate Change
Residential	\$0.910	\$0.912	\$1.019	\$0.979	\$0.040 Reduction
Commercial	\$0.998	\$0.947	\$1.104	\$1.068	\$0.036 Reduction

Recommendation is to have a first reading of an ordinance setting the annual property tax rates for calendar year 2015 (Fiscal Year 2016).

Mayor Sanger closed the public hearing.

Alderman Winings introduced Bill No. 6511, an ordinance to approve the Property Tax Levies for Tax Year 2015 (FY2016) to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6511, an Ordinance Levying and Establishing the Rate of Annual Taxes for General Municipal Purposes; Police Building Debt Service; General Obligation Debt Service; and, Special Business District Purposes to be Collected by the City of Clayton, Missouri, for the Year 2015 for the first time by title only.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING THE PROPOSED FISCAL YEAR 2016 OPERATING AND CAPITAL IMPROVEMENTS BUDGET AND TO HOLD A PUBLIC HEARING - FIRST READING

City Manager Owens reported that on July 6th, the Board of Aldermen received the City Manager's proposed Fiscal Year 2016 Operating and Capital Improvements Budget. As part of the budget process, the Board is required to hold a public hearing to seek public input prior to formal budget adoption. The public hearing will occur on August 25, 2015.

The Board extensively reviewed the proposed budget during public meetings on July 17 and August 12, 2015.

There are only a few changes to the proposed budget and they are summarized in the reconciliation provided in the Board packet. All of the changes are related to capital projects, including adding the completion of the environmental recycling alternative project in FY15, correcting a source of grant match funds in FY15, and moving street projects from one fiscal year to another and adjusting the transfer of bond funds for construction accordingly. There are no proposed changes to the general fund budget.

The proposed budget maintains the extraordinary level and proficiency of service that has been expected by our residents and traditionally provided by the City. The Board of Aldermen has studied this proposed budget and the public has had opportunities for input. The attached ordinance approving the Fiscal Year 2016 Operating and Capital Improvements Budget is presented for approval and adoption.

Recommendation is to conduct a public hearing and adopt the Fiscal Year 2016 Operating and Capital Improvements Budget as presented in the proposed budget, adjusted by the reconciliation attached to the ordinance.

Mayor Sanger closed the public hearing.

Alderman Winings introduced Bill No. 6512, an ordinance to approve the FY2016 Operating and Capital Improvement Budget to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6512, an Ordinance Adopting an Annual Budget for the Fiscal Year 2016 Commencing on October 1, 2015 and Appropriating Funds Pursuant Thereto for the first time by title only.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING AN AGREEMENT WITH SCHOOL DISTRICT OF CLAYTON FOR SCHOOL RESOURCE OFFICERS

City Manager Owens reported that this is an ordinance to approve the renewal agreement with the School District of Clayton for school resource officers. The last agreement renewal was approved in 2012 and is now due to expire at the end of August. The proposed terms for renewal will continue the 75%/25% School District/City cost sharing arrangement. City Manager Owens noted that the agreement will include a provision to share the cost of cell phone, travel and training expenses which have been practiced in the past and continues currently. He recommended that the Board approve as amended and authorizing the City Manager to sign the agreement.

In response to Alderman Winings' question, Chief Murphy confirmed that the resource officers split their time in all of the schools (not just the high school) with programs such as D.A.R.E.

Alderman Winings introduced Bill No. 6513, an ordinance to approve a renewal agreement with the Clayton School District for the School Resource Officers to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6513, an Ordinance Approving a School Resource Officer (SRO) Agreement with the Clayton School District for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Winings moved that the Board give unanimous consent to consideration for adoption of Bill No. 6513 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6513, an ordinance to approve a renewal agreement with the Clayton School District for the School Resource Officers to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6513, an Ordinance Approving a School Resource Officer (SRO) Agreement with the Clayton School District for the second time by title only.

Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6381 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING AN EASEMENT AGREEMENT FOR CERTAIN IMPROVEMENTS TO THE METROPOLITAN SEWER DISTRICT'S SEWER AND STORMWATER SYSTEM IN OAK KNOLL PARK

City Manager Owens reported that the proposed ordinance would approve an easement to be granted to the Metropolitan Sewer District ("MSD") for the purpose of allowing MSD to build and maintain an underground detention system, including sewer, stormwater, and other related appurtenances and improvements, within Oak Knoll Park. The goal of the project is to improve the stormwater and sewer system serving the St. Louis region in order to satisfy the requirements of a settlement between MSD and the Environmental Protection Agency and the Missouri Coalition for the Environmental Foundation which was entered into in 2011. Improvements will particularly benefit the Clayton residents in the vicinity. MSD anticipates that the project will be put out to bid this year with construction starting in early 2016. Work at Oak Knoll Park will be completed in the spring of 2016.

The permanent easement includes the northwestern corner of Oak Knoll Park where the precast concrete stormwater management system will be installed. The construction easement will be temporary and will be used for ingress and egress, storage of equipment and materials, and to perform all other related functions necessary to complete the project. None of the work will be at the City's expense and MSD will restore or pay the City the cost to restore any disturbed areas.

In consideration for granting the easement, MSD has agreed to restore the park according to an agreed upon plan which will include reforestation of areas disturbed during construction as well as assistance in repairing other areas that are damaged due to construction. All restoration work will be fully funded by MSD. In addition, MSD will be responsible for recording the easement and submitting one original to the City Clerk.

The Parks & Recreation Department, Public Works Department and the City Attorney have reviewed and approved the easement and agreement documents.

Staff recommendation is to approve the ordinance approving the easement for the Metropolitan Sewer District.

In response to Mayor Sanger's question, City Manager Owens stated that this would solve the problem on Ridgemoor Avenue.

In response to Alderman Boulton's question, Patty DeForrest confirmed that the park would lose about three trees.

Alderman Berkowitz commented that this project is a long-time coming dealing with issues for over 10 years. He stated that a resident had asked if MSD could begin as soon as tomorrow.

In response to Alderman Boulton's question, Brad Leroy, MSD representative, stated that the new line installed underground would slow the water down because the current system cannot handle the overflows.

Alderman Winings introduced Bill No. 6514, an ordinance to approve an Easement Agreement with Metropolitan Sewer District (MSD) for Oak Knoll Park to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6514, an Ordinance Approving an Easement for Installation and Maintenance of Certain Improvements to the Metropolitan Sewer District's Stormwater and Sewer System to be located in Oak Knoll Park for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Winings moved that the Board give unanimous consent to consideration for adoption of Bill No. 6514 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6514, an ordinance to approve an Easement Agreement with Metropolitan Sewer District (MSD) for Oak Knoll Park to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6514, an Ordinance Approving an Easement for Installation and Maintenance of Certain Improvements to the Metropolitan Sewer District's Stormwater and Sewer System to be located in Oak Knoll Park for the second time by title only.

Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6382 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING AN EASEMENT AGREEMENT FOR CERTAIN IMPROVEMENTS TO THE METROPOLITAN SEWER DISTRICTS SEWER AND STORMWATER SYSTEM IN ANDERSON PARK

City Manager Owens reported that the proposed ordinance would approve an easement to be granted to the Metropolitan Sewer District (“MSD”) for the purpose of allowing MSD to build and maintain a tunnel shaft, including sewer, stormwater, and other related appurtenances and improvements, within Anderson Park. The goal of the project is to improve the stormwater and sewer system serving the St. Louis region in order to satisfy the requirements of a settlement between MSD and the Environmental Protection Agency and the Missouri Coalition for the Environmental Foundation which was entered into in 2011. MSD anticipates that the project will be put out to bid in 2016 with construction starting later that year. Work at Anderson Park will have active construction that will take one (1) to two (2) years but when the work will take place within the estimated five (5) year tunnel construction is unknown until the Contractor is selected and the Contractor’s schedule is submitted. MSD will coordinate with the City of Clayton and provide written notification of construction timeframe once the tunnel construction schedule and Anderson Park construction is known.

The easement covers the entire 4.56 acres during construction as MSD will not only be building an underground tunnel but also will be installing new sewer connector lines in the park. A portion of the easement will be permanent for the new connector sewers for operation and maintenance purposes as well as a diversion structure with control panel which will be enclosed by a perimeter fence. The construction easement will be temporary and will be used for ingress and egress, storage of equipment and materials, and to perform all other related functions necessary to complete the project. None of the work will be at the City’s expense and MSD will restore or pay the City the cost to restore any disturbed areas pursuant to the restoration plan.

In consideration for granting the easement, MSD has agreed to restore the park according to an agreed upon plan which will include reconstruction of the Dog Park and installation of stormwater BMP’s along the southeast side of the park that will help with drainage issues in the park. In addition, they will make improvements to parking, site access and landscaping that will be coordinated with City Staff. All restoration work will be fully funded by MSD. Exhibit C is a conceptual design of the restoration plan. In addition, MSD will be responsible for recording the easement and submitting one original to the City Clerk.

The Parks & Recreation Department, Public Works Department and the City Attorney have reviewed and approved the easement and agreement documents.

Recommendation is to approve the ordinance approving the easement for the Metropolitan Sewer District.

In response to the Board’s questions, Brad Leroy, MSD representative, explained the excavation process noting that the construction will be approximately at least a six-month long process once the work begins. With regard to the construction impact on homeowners’ properties (damage from vibration, dust, etc.) and their protection, he explained that MSD will continually monitor the construction site and the contractor will be responsible for a dust control plan. With regard to the closure of the park, Mr. Leroy stated that they will work and coordinate with the city staff.

In response to Alderman Berkowitz’ question, Mr. Leroy stated that the project will definitely benefit the residents in terms of alleviating storm water backups in basements.

Alderman Winings introduced Bill No. 6515, an ordinance to approve an Easement Agreement with Metropolitan Sewer District (MSD) for Anderson Park to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6515, an Ordinance Approving an Easement for Installation and Maintenance of Certain Improvements to the Metropolitan Sewer District’s Stormwater and Sewer System to be located in Anderson Park for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Winings moved that the Board give unanimous consent to consideration for adoption of Bill No. 6515 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6515, an ordinance to approve an Easement Agreement with Metropolitan Sewer District (MSD) for Anderson Park to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6515, an Ordinance Approving an Easement for Installation and Maintenance of Certain Improvements to the Metropolitan Sewer District’s Stormwater and Sewer System to be located in Anderson Park for the second time by title only.

Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6383 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING THE EXECUTION OF A LEASE FOR # 2 OAK KNOLL PARK WITH THE ST. LOUIS COMMUNITY FOUNDATION

City Manager Owens reported that last year, the City of Clayton issued a Request for Proposals from community-based organizations and/or businesses for use of the property located at #2 Oak Knoll Park. At that time the City received two submittals – one from the St. Louis Artists/ Guild and the second from the St. Louis Community Foundation (“Community Foundation”). Upon consideration of the two proposals it was determined that the proposal from the Community Foundation was the strongest submittal and, as a result, staff has worked with them over the past year to develop a plan for renovation of the structure as well as the terms of the lease.

The Community Foundation will be utilizing this facility to serve as their new headquarters for the intended use as offices, daily operations, board meetings, donor events and community meetings and special events. Before you tonight is a lease that, if approved, will become effective once work on the property begins. This is anticipated to be as early as mid-September with the work estimated to take six to eight months.

In summary, the terms of the lease include:

- Term: Twenty-five (25) years; beginning on Lease Commencement Date plus an option to renew for an additional ten (10) year term.
- Community Foundation to maintain commercial liability insurance in the amount of \$3,000,000/\$3,000,000. In addition, tenant shall maintain worker’s compensation insurance with no less than the minimum limits required by law.
- Community Foundation will also be responsible for all interior maintenance and utility costs associated with the property once initial construction work is completed.
- Capital improvements will be made by in a mutually agreed plan and paid for according to a 77.5/22.5% division, Community Foundation/City of Clayton.
- No rent will be paid in the first twenty-five years of the lease due to the anticipated investment of nearly \$1.25 million by the Community Foundation for repairs to the structure.

- Thirty spaces will be allocated to Community Foundation employees and visitors.

Additional provisions of the lease cover issues related to special events, parking, signage and a variety of other administrative details.

Recommendation is to approve the ordinance authorizing the execution of a lease between the City of Clayton and the St. Louis Community Foundation for the property at #2 Oak Knoll Park.

Alderman Winings recused himself from the meeting.

In response to the Board's questions, Patty DeForrest explained that the entire property is 16,000 square feet, but that only 12,500 square feet is useful. She confirmed that there are 81 parking spaces available for the site. With regard to property tax, she explained that the organization is a non-for-profit and therefore will not be paying taxes.

Ms. Emelia Bond, Executive Director, Community Foundation, addressed the Board explaining that the organization is a non-for-profit and has helped St. Louisans put charitable dollars to work since 1915. The help their donors address the issues that are most important to them in the communities they care about most. They currently have nine employees and will be expanding to twelve.

In response to Alderman Lintz's question regarding the Clayton Century Foundation services, Patty DeForrest noted that it is in discussion, but that would be a separate agreement.

Alderman Boulton introduced Bill No. 6516, an ordinance to approve a Lease Agreement with The St. Louis Community Foundation for #2 Oak Knoll Park to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6516, an Ordinance Providing for the Execution of a Lease for Property Located at #2 Oak Knoll Park with the St. Louis Community Foundation for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Boulton moved that the Board give unanimous consent to consideration for adoption of Bill No. 6516 on the day of its introduction. Alderman Lintz seconded.

The motion passed unanimously on a voice vote.

Alderman Boulton introduced Bill No. 6516, an ordinance to approve a Lease Agreement with The St. Louis Community Foundation for #2 Oak Knoll Park to be read for the second time by title only. Alderman Lintz seconded.

City Attorney O'Keefe reads Bill No. 6516, an Ordinance Providing for the Execution of a Lease for Property Located at #2 Oak Knoll Park with the St. Louis Community Foundation for the second time by title only.

Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6384 of the City of Clayton.

Alderman Winings rejoined the meeting.

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT WITH GERSHENSON CONSTRUCTION COMPANY, INC. FOR THE FY15 ALLEYS PROJECT

City Manager Owens reported that the Public Works Department is requesting approval of a construction contract for the FY15 Alleys Project. This project will include the reconstruction of various alleys in the Downtown and Davis Place areas.

Bids were opened at 2:05 pm on August 13, 2015. The City received two bids as shown on the attached bid tabulation. Gershenson Construction Company, Inc. submitted the lowest, responsive, responsible base bid in the amount of \$414,885.00. The final engineer's estimate for this work was \$321,535. All of these values include the alternate bid item, A1, for over excavation of soft soils, if necessary. Mobilization bids were higher than estimated, but understandable as this year's project is only about one-half the size of last year's project. The second lowest bid came from Raineri Construction, at \$465,532.50, 12.2% higher than Gershenson Construction Company, Inc.

The Capital Improvement Fund has \$540,000 budgeted for this activity in FY 2015.

City Staff recommends approval of the construction contract with Gershenson Construction Company, Inc. for the base bid value of \$414,885.00. In addition to the contract amount, the City Staff requests authorization to approve change orders in an amount not to exceed \$45,000, which is approximately 10% of the project cost. This contingency would be used to cover expenditures to correct unknown site issues that become apparent during the project.

Recommendation is to approve the ordinance authorizing a contract with Gershenson Construction Company, Inc. in the amount of \$414,885.00, plus a contingency of \$45,000 for the FY15 Resurfacing Project.

In response to Alderman Berger's question, Dale Houdeshell explained confirmed that there is one area in Davis Place that is not included because they are surveying for a property line.

Alderman Winings introduced Bill No. 6517, an ordinance to approve a contract with Gershenson Construction Company, Inc. for the FY2015 Alley Repairs Project to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6517, an Ordinance Approving a Contract with Gershenson Construction Company, Inc. for the FY2015 Alleys Project for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Winings moved that the Board give unanimous consent to consideration for adoption of Bill No. 6517 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6517, an ordinance to approve a contract with Gershenson Construction Company, Inc. for the FY2015 Alley Repairs Project to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6517, an Ordinance Approving a Contract with Gershenson Construction Company, Inc. for the FY2015 Alleys Project for the second time by title only.

Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6385 of the City of Clayton.

A MOTION TO CONSIDER A BID FOR THE CARONDELET PLAZA PAVEMENT REHABILITATION PROJECT

City Manager Owens reported that the Public Works Department is recommending rejection of the only construction bid for the Carondelet Plaza Pavement Rehabilitation Project. In 2013, Parsons Brinkerhoff completed the design of the project.

This project includes the rehabilitation of the existing concrete pavement and joints, replacement of curb ramps that do not meet ADA requirements, the replacement of substandard curb and gutter, base repair where necessary, and an ultra-thin bonded asphalt wearing surface (UBAWS).

The Bid opening was at 2:05 pm on August 13, 2015. The City received only one bid on the project as shown on the attached bid tabulation. Gershenson Construction Company, Inc. submitted the bid in the amount of \$977,225.22. The final engineer's estimate for this work was \$651,968.00. Staff feels the primary difference between the engineers estimate and bid received is due to uncertainty of the contractor to be able to complete portions of the work before weather limits the construction. The ultra-thin bonded asphalt wearing surface would be one of the last items installed, there is a temperature limitation on when it can be installed, and the only sub-contractor who does this type of surface is currently very busy.

Staff's recommendation is to reject the bid and not award the contract based on this sole bid. In the interest of keeping the project moving forward, staff will evaluate options, including bidding the concrete work separately from the ultra-thin bonded asphalt wearing surface that would be rebid in the spring. Staff feels this will result in additional competitive bids for the majority of the work.

The Capital Improvement Fund has \$688,000 budgeted for this activity in FY 2015.

Recommendation is to reject the bid by Gershenson Construction Company, Inc. in the amount of \$977,225.22 for the Carondelet Plaza Pavement Rehabilitation Project.

Alderman Winings moved to reject the bid submitted by Gershenson Construction Company, Inc. for the Carondelet Plaza Pavement Rehabilitation Project. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Other

Alderman Winings reported that due to the Plan Commission/ARB having one less member the last meeting was cancelled due to a lack of a quorum. He anticipates a Ward 2 nomination and appointment at the September 8 Board meeting to fill the empty seat.

Alderman Boulton reported that she attended the Trova sculpture dedication held in Clayton Gardens.

Alderman Berger reported that the CRSWC met last week and voted to approve the proposed budget. He noted that the Committee has two new Board of Education members.

Alderman Berger commented about a great article about Clayton was in the recent publication of *Uptown Magazine*.

Alderman Berkowitz reported that he attended the Wayfinding public meeting, noting that there was some interesting discussion outlined.

Mayor Sanger asked the Board representatives for the Sustainability Committee to submit a nomination for a chairman to be considered at the September 8 meeting.

Mayor Sanger commented that staff presented a great report regarding the city's events and inquired about the Food Truck Sunday event. Patty DeForrest reported that the event has not gone well due to weather,

commitments, and health department requirements. She noted that money has been budgeted for FY2016, but they have not determined if it will go forward.

Alderman Berkowitz moved that the Board adjourn to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO. Alderman Lintz seconded the motion.

Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye.

There being no further business the meeting was adjourned at 8:23 p.m.

Mayor

ATTEST:

City Clerk